
By: **Delegates Cane, Bohanan, Bozman, Conway, C. Davis, Franchot,
Harrison, Heller, Krysiak, Malone, McConkey, Owings, Proctor,
Rudolph, Sophocleus, Sossi, and F. Turner**

Introduced and read first time: January 22, 2004
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Adoption - Certificates of Birth**

3 FOR the purpose of repealing the provision of law making the entry of an adoption
4 order by a court as grounds for the Secretary of Health and Mental Hygiene to
5 make a new certificate of birth for an individual who was born outside the
6 United States; repealing a certain qualification that a foreign-born adopted
7 person must meet before the Secretary may prepare and register a certificate of
8 foreign birth; and generally relating to certificates of birth.

9 BY repealing and reenacting, with amendments,
10 Article - Health - General
11 Section 4-211(b) and (i)(1)
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Health - General**

17 4-211.

18 (b) Except as provided in subsection (c) of this section, the Secretary may
19 make a new certificate of birth for an individual who was born outside the United
20 States if one of the following occurred in this State:

21 (1) The previously unwed parents of the individual have married each
22 other after the birth of the individual;

23 (2) A court of competent jurisdiction in this State has entered an order as
24 to parentage[,] OR legitimation[, or adoption]; or

1 (3) The father of the individual acknowledged himself by affidavit to be
2 the father and the mother of the individual has consented by affidavit to the
3 acknowledgment.

4 (i) (1) The Secretary shall, upon request, prepare and register a certificate
5 in this State for a person born in a foreign country [who is not a citizen of the United
6 States] and who was adopted:

7 (i) Through a court of competent jurisdiction in this State; or

8 (ii) 1. Under the laws of a jurisdiction or country other than the
9 United States and has been granted an IR-3 visa by the United States Immigration
10 and Naturalization Service under the Immigration and Nationality Act; and

11 2. By an adopting parent who is a resident of this State.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2004.